

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P801461/WO/1	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/010459	International filing date (day/month/year) 19 September 2003 (19.09.2003)	Priority date (day/month/year) 19 October 2002 (19.10.2002)
International Patent Classification (IPC) or national classification and IPC B60K 41/28		
Applicant DAIMLERCHRYSLER AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>27</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 06 April 2004 (06.04.2004)	Date of completion of this report 24 November 2004 (24.11.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

PCT/EP2003/010459

I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

☐ the international application as originally filed.

☒ the description, pages _____, as originally filed,
pages _____, filed with the demand,
pages 1-25, filed with the letter of 30 August 2004 (30.08.2004),
pages _____, filed with the letter of _____.

☒ the claims, Nos. _____, as originally filed,
Nos. _____, as amended under Article 19,
Nos. 2-6, filed with the demand,
Nos. 1, filed with the letter of 30 August 2004 (30.08.2004),
Nos. _____, filed with the letter of _____.

☒ the drawings, sheets/fig 1/2-2/2, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-6	YES
	Claims		NO
Inventive step (IS)	Claims	1-6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations

1. EP 0 388 107 A, which is considered to represent the prior art closest to the subject matter of claim 1, discloses a control device for controlling an engine and gearbox with a controller (50) arranged remotely from the engine and gearbox and a unit (56) directly connected in an electrically conductive manner to multiple sensors, said unit being fastened to the engine-gearbox, wherein the unit is coupled to a data bus (10), wherein multiple controllers (figure 1) are embodied with uniform data bus transceivers.
2. The subject matter of claim 1 thus differs from the known control device in that the sensors are connected to the unit not directly by cables or via the vehicle data bus in an electrically conductive manner, but via a second, separate data bus (assembly data bus).
3. The subject matter of claim 1 is therefore novel (PCT Article 33(2)).
4. The problem addressed by the present invention may therefore be considered that of improving the control device such that it can be used for various

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engine types (five-, six-, eight-, ten- or twelve-cylinder) without major hardware changes.

5. The solution proposed in claim 1 of the present application is not suggested by the prior art and therefore involves an inventive step (PCT Article 33(3)).
6. Further, claim 1 likewise meet the PCT requirements for industrial applicability.
7. Claims 2-6 likewise meet the PCT requirements for novelty, independent step and industrial applicability.